RAILROAD NEWS

WAS NO COMPETITION

Testimony at Merger Hearing. Testimony at Merger Hearing.

New York, Feb. 16.—J. C. Stubbs, general traffic director, and E. J. Spencer, eastern general freight manager for the Harriman lines, testified today that there was no real competition between the Southern and Union Pacific railroads prior to their amalgamation in 1901 by the late E. H. Harriman.

The United States government is suring for a dissolution of the Harriman merger on grounds that the roads are competing lines, barred by federal statute from uniting to eliminate competition.

statute from uniting to eliminate competition.

In support of his contention that two lines could serve the same terminals and not compete for business, Mr. Stubbs cited the traffic over the "Shasta route" (Southern Pacific) and the Oregon Transportation company, a water route, between San Francisco and Portland. The steamship service, he said, was better than the railroad service except that it was not daily, and the railroad in its growth took nothing from the steamship line, but originated new business. Therefore the two lines did not compete, he said.

"We made an effort to get some of this business," said Mr. Stubbs, "but we gave it up and quit, and that was before the merger."

Mr. Spencer testified that the Southern Pacific never had been a serious factor in the coast-to-coast trade. It was the volume of business originating in the south and southeast, he said, that made the "Sunset route" (Southern Pacific) a factor in California. The business of the Southern Pacific between the Atlantic seaboard and Portland, Or., for 1900, he said, was only 16 of 1 per cent of the company's total; the Colorado-Utah business only 53 of 1 per cent, and the Asiatic business of the company's total; the Colorado-Utah business only 53 of 1 per cent, and the Asiatic business of the company over the same route only 51 of 1 per cent.

per cent, and the Asiatic business of the company over the same route only. 51 of 1 per cent.

C. A. Severance, for the government, offered a formal objection to these figures when he got the witness to admit that they were supplied to him by an auditor and that witness could not swear personally to their accuracy.

Mr. Stubbs compared figures showing the business of several Pacific coast lines prior to the merger. As an example, he stated that in 1991 the tonnage of the Oregon Transportation company, the water route between San Francisco and Portland, was 7,392 tons, with a revenue of \$217,000, and that of the Southern Pacific between the same points was 2,156 tons, with \$110,000 revenue. "In my opinion this was noncompetitive business," said Mr. Stubbs. Edwin Hawley's name was brought into the testimony when Stubbs declared that in his opinion there was no real competition between the Union and the Southern Pacific gulf routes to points in Colorado and Utah. Atty, Severance for the government called Mr. Stubbs attention to the fact that Mr. Hawley had declared when a witness was as eagerly sought by the Southern Pacific as the Union Pacific. Mr. Hawley had declared when a witness that the Colorado and Utah business was as eagerly sought by the Southern Pacific as the Union Pacific.

"Mr. Hawley is a competent man, but I don't think he understood what the term competition means. If he had thought a moment he would not have answered that way," said Mr. Stubbs. Reverting to the Portland-San Francisco traffic, Mr. Stubbs said the one-time passenger rate war was "foolish and inexcusable except as an advertisement for the Shasta route."

"We have made all the business we have," the witness continued. "We have created the business. The boats have as much trade from anyono. We have created the business. The boats have as much trade as they ever had. We have spent a lot of money advertising the Shasta route—\$100,000 in one year. We seek to create new business."

"Do you know another place in the United States where there is a similar situation and no competition between boats and railroad lines?"

"Yee; there is no competition with our steamship line to New Orleans," replied Mr. Stubs.

ARE USING CUT-OFF.

It is emphatically announced from General Manager Bancroft's office that the report that the Southern Pacific was operating the old line over Promontory while repairs were being made on the Lucin cut-off is entirely without foundation. The cut-off continues to be used, most of the traffic, however, being done over the south track while the north track is being repaired. The roadbed is being rapidly restored to its former condition.

Contractors Raleigh & Harmon were on the site of the proposed magnificent new Newhouse theater, corner of State and Newhouse theater, corner of state and Exchange place, this morning making preparations to begin actual excavation work Friday morning. They found the frost 11 inches deep in the ground. The excavation will be 90 by 15 feet 220 11 feet deep. It will require from three weeks to a month to complete their work.

WELL SUPPLIED WITH SMOKES.

Patrolman Egbert arrested this after-noon in Second South street one L. Perry. The policeman could not account for the large store of smoking material in his possession and took him in on sus-picion. Perry was supplied with large quantities of pipe tobacco, cigarettes and clgars by the boxful.

STOCK CERTIFICATES.

stock certificates, bonds, and blank books of any size or style made to order. Estimates promptly furnished. THE DESERET NEWS JOB DEPT.

BUS PASSENGERS

Knutsford—W. R. Allen, Anaconda, Mont.; W. F. Knox, Beaver; J. C. Abromet, New Work; H. C. Bush, Den-ver; E. P. Charlton, Boston; Theodore, Marx, St. Louis; W. H. Eldredge, Chicago.

Kenyon—J. G. Gronin and L. S. Burrows, St. Anthony, Ida., F. F. Smith, Detroit; Mr. and Mrs. A. D. Thomson, St. Paul; W. H. Scott, Pingree, Ida.; T. E. Woodward, Logan; Mr. and Mrs. R. R. Irvine, Jr., Provo.

Cullen—Alex McDonald, Eureka; Mr. and Mrs. O. E. B. Gates, Sparks, Nev.; J. T. Spratt, Gotdfeld; Mr. and Mrs. Percy Vance, Ogden; W. R. Bucks, Ogden; Rudolph Kaiser and A. N. Olsen, Brigham City.

Wilson—J. Graham, Idaho Falls; J. W. Crawford, Logan; S. R. Cox, Springville; W. O. Creer, Provo; Lewis Larson, Manti; M. Blanchard and J. E. McCurdy, Springville.

Alden H. Brown, a mining man from Denver is registered at the Knutsford. R. M. Ogilvic, superintendent of the eastern division of the Western Pacific is registered at the Moxum.

Moxum—Geo. F. Smith, Denver; J. L. Williams, Mrs. Alma Williams, Ogden; O. P. Smoot, Arthur Craven, D. A. Swah, Provo; James G. Ellis, Brigham; E. P. Gallup, Denver.

New Windsor—J. D. Killpack, Jr., Driggs; O. W. Allen, Park City; J. W. Warf, Price; Mr. and Mrs. A. M. Fullmer, Pocatello; J. M. Hixson, Coalville; A. M. Nelson, Tooele; V. E. Thorn, Springville.

J. M. Hixson, county clerk, of Coal-ville, is registered at the New Windsor. W. H. Scott, a prominent mining man of Pingree, Ida., and formerly of Goldfield, Nev., is registered at the Kenyon.

COURT NEWS

CRIMINAL COURT.

Stewart Johnson, a cocaine fiend who pleaded guilty to the charge of burglary in the third degree in Judge T. D. Lewis's court this morning and was While Johnson was searching in for cocaine last December, he aroused son turned off the lights, climbed upor a barrel and stood there like a statu a barrel and stood there like a status for half an hour while the dog was growling, barking and chasing about the basement in search of him. The dog attracted the attention of the night watchmen, who came to investigate When he turned on the light, there stood Johnson on the barrel. Johnson was commanded to jump down and the dog pounched upon him. He was saved from injury by the night watchman.

Albert Poor charged with business.

Albert Baer, charged with burglary, was found guilty by a jury this morning in Judge Lewis's court. He will be sentenced next week.

George Slade, formerly an inmate of the county infirmary, was placed on trial this morning, charged with voting illegally at the last city election. A jury was secured in a short time and the case will probably be concluded this afternoon.

WANTS ALIMONY FROM JOHN.

Mrs. Hattie F. Mann charges her husband, John Mann, with non-sup-port and desertion, in one count, and then asks to have him restrained from coming home because she lives in fear of him in the second count in her comcoming home because she lives in fear of him in the second count in her complaint filed this morning in the Third district court. They were married in San Francisco on April 7, 1881, and have one son, John, 14 years old. For the last year she alleges that he has refused to support her or their son. He has also threatened her she alleges. She asks for suitable alimony.

DEFENDANTS MUST PAY.

The United States Fidelity & Guaranty company, surety on an appeal bond in the case of John Lancino against Bert L. Smith and Peter Porter, must pay the sum of \$1,433.73 to Lancino, the amount of the judgment he obtained against Smith and Porter. Judgment was rendered against the surety Wednesday by Judge T. D. Lewis because the defendants failed to pay the judgment within 30 days after the remittitur had been handed down from the supreme court affirming the decision of the lower court. The United States Fidelity & Guar

SUIT OVER INSURANCE.

The Progress Spinning & Knitting Mills company brought suit against the Southern National Insurance company and the Dixle Fire Insurance company to recover \$1,000 from each company on an insurance policy. The knitting works at Springville burned down on May 7, 1909, while the policies were in force but the companies refused to pay the insurance. The total damage to the plant was \$7.500.

CHARGES FRAUD IN DEAL

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In the sale of the Lee Cash Market at 62 west First South street, E. C. Miller charges J. W. Lee and George J. Evans with fraud. He brought suit against Lee & Evans in the Third district court this morning to cancel the contract which he entered into with them for the purchase of the business. When Lee and Evans decided to sell the business, they represented that it was making \$490 a month. Upon this representation, Miller bought it for \$2,250, including the fixtures and lease. He paid \$1,000 down and the remainder was to be paid in instalments. Miller entered into a partnership with Fred Fox and then they found out that the market was hardly a paying business. Miller asks that he be given juudgment against the defendants for \$1,000, relieved of his contract, and \$500 damages.

STATE CASES CALLED.

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There were five state cases before Judge J. M. Bowman in the criminal division of the city court this morning. E. F. Rogers, the "hop head" who stole a large quantity of clothing from the storeroom of the Lennox hotel, pleaded not guilty to the charge of grand larceny. The case will go to the district court at once, as Rogers waived preliminary hearing.

T. D. Jones, charged with grand larceny, pleaded not guilty and will have a hearing March 23. It is alleged that he stole \$65 from J. H. Magnum. In default of bonds in the sum of \$500 he was committed to the custody of the sheriff.

W. A. Whittenberg pleaded not guilty to the charge of embezzling \$213 worth of furniture from the W. I. Frank produce company, and his ex-Frank produce company, and his examination was set for March 24.

Harry Dolan entered a plea of not guilty to a statutory offense and will be given a preliminary examination on March 25. Unable to give \$1,500 hall, he was sent to the county jail.

Byron Kershaw, charged with obtaining money by false pretenses by cashing a bogus check on Frank Weber, declined to plead, and the case was set for Friday morning for pleading.

JOB PRINTING AND BOOK BIND-ING.

We are the pioneers in Job Print-ing and Book Binding in the state. Our facilities are the best for handl-ing any class of work, no matter how THE DESERET NEWS JOB DEPT.

AMERICAN BEEF CHEAPER IN EUROPE

New York, Feb. 17.—Paraffin-coated eggs from Europe, nearly a million of which were imported this weels, were placed on sale today by hundreds of New York retailers at three to eight cents a dozen less than the price of American coldstorage eggs.

At the same time there came the announcement from market men that American beef exported by way of New York to London is selling there at 3 cents to 5 cents a pound cheaper than the price asked here. The wholesale beef prices, according to this statement, were as follows:

London—American frozen beef per pounds, 8½ to 9 cents.

New York—American frozen beef per pound, 11½ to 14 cents.

JACK SCHAEFER DYING.

Denver, Jan. 17.—"Jack" Schaefer, the "wizard of billiards," is dying at his home in this city.
Schaefer has been in ill health for years. His sickness was responsible for his abandonment of the billiard game, and he came to Denver in an effort to regain his lost strength.
He is so low at present that even the members of his own family are not allowed to see him, and death apparently is only a question of a few days.
Schaefer is 55 years of age and has held every billiard championship of the world.



NEW INCORPORATIONS.

The Pacific Realty company of Ogden, with a capital of \$25,000 in \$10 shares of which 1,000 shares are held as treasury stock, filed articles with the secretary of state yesterday, taking over a part of plat C, in Ogden, and other land in Weber county, owned by Joseph M. Hill and wife, for 69 per cent of the capital. The officers of the company are: J. M. Hill, president; F. Allen McGuire, first vice president and secretary; W. J. Critchlow, second vice president and treasurer, these constituting the directorate.

Articles of the Hawatha Mercantile

stituting the directorate.

Articles of the Hlawatha Mercantile company, organized in Sait Lake to carry on a drug, mercantile and real estate business in Hlawatha, Carbon county, were filed with the county clerk yesterday. The company has a capital stock of \$50,000. Officers are: F. A. Sweet, president; C. T. Lemley, vice president; W. H. Sweet, secretary and treasurer. These are the directors, with L. H. Curtls, L. L. Legg, J. H. Riddie and F. W. Francis.

The Troy Mining company of Salt

Riddle and F. W. Francis.

The Troy Mining company of Salt Lake filed articles of incorporation in the county ciera's office yesterday. The capital is \$250,000. Officers are: Philip Morgan, 14,000 shares, president; James H. Moyle, 74,000 shares, yet president; Devine Pitt, 500 shares, secretary and treasurer; Henry Morgan, 1,000 shares, and A. E. Moyle, 500 shares, directors.

Articles of incorporation of the Goshen Queen Aining company of Eureka, Jaab county, were med with the secretary of state yesterday. The company has a capital of \$400,000. Officers are: James Ackeown, president; James A. Johnson, vice president; John chiespy, treasurer, and Arthur L. Griffith, secretary, who are directors with J. Wilde.

The Damoreau Percheron Horse company or Elsinore, Sevier Co., nied its articles of incorporation time morning with the secretary of state. The concern is capitalized for \$6,000, divided into shares at \$100 each. Orson P. Lee is president; J. & Parker, vice president; J. & Magleby, secretary and treasurer. These officers and Otto Francisen and Andrea Anderson compose the board of directors.

BIG PIECE OF STEEL ARRIVES.

The largest piece of structural steel ever brought into Salt Lake was haused up from the depot to the Hotel Utah this atternon, and attracted a large crowd at the Monument corner. The piece is five feet by 69 feet and weighs 26 tons, or 52,000 pounds. It will be set on the tops of steel uprights, 30 feet from the ground in the west end of the building.

LOCAL BRIEFS.

Twenty-seventh Ward—There will be a ward reunion next Tuesday afternoon, in the Twenty-seventh ward meetinghouse, when special attention will be given to the old people of the ward. There is to be a dance for the young people in the evening.

Finance Committee to Meet—The finance committee of the board of education will meet at 7:30 o'clock tonight in the rooms of the board to take steps to sell the schools bonds recently voted. The board has received four sealed bids on high school sites. These bids will be opened at noon Saturday.

Choir Rehearsal—Horace S. Ensign the assistant director of the taber-nacle choir, announces that there will be a rehearsal of singers at the tabernacle at 7:30 this evening.

Fruit Exchange.

business session at the Chamber of Commerce building in Third South street this morning. Moroni Mortensen of Bear River city is president, and J. M. Forrestall of Ogden, secretary, there being no other officers in the association outside of the executive committee, which consists of one representative from each of the dozen Utah fruit organization. At the morning session it was decided that the foregoing officers hold over until the annual meeting in March. The discussion was along the lines of inducing, as far as possible, all the fruitgrowers of the state to become members of this organization, in order to facilitate the marketing of the produce; to have it sold under one head, thus eliminating the slouting of one market, while another is short; and also to prevent the Utah fruit from coming into competition with itself. At the conclusion of the regular session an executive meeting was called, and the matter of marketing the 1910 crop was discussed at length. Last year the California Fruit exchange handled the products for the Utah Fruit exchange, and did it very satisfactorily. This year there are several similar organizations bidding for the business, among the others the California people. The busin'ts is conducted entirely on a commission basis. The Utah Fruit exchange is made up of one fruit association from Cachecounty, three from Boxelder, one from Weber, two from Davis, three from Utah, one from Salt Lake. business session at the Chamber of Com

LOCAL MARKETS

The feature in today's markets is the receipt of a car of extra fine oranges, specially good in flavor and abundance of juice. There is also excellent cauliflower and cabbage from Callfornia, apples from Colorado and onions from Oregon, with Idaho potatoes, and kiln dried sweets from the east. Ranch eggs are down to \$8.50 and \$9.00, and eastern eggs are now at \$6.50 to \$7.00 per case, the retail price being 35 cents. There is no perceptible change in the oleomargarine market, the demand being firm and constant. The prices obtaining in today's markets are as follows:

RETAIL. FLOUR, GRAIN AND HAY.

Bran and shorts
Straight shorts
Timothy hay, per cwt
Alfalfa hay, per cwt
Corn, per cwt.
Rolled Barley, per cwt
Wheat, per cwt

MEATS AND POULTRY. MEATS AND PULLTRY.

Dressed beef, per pound 7026
Dressed hens, pound 22 1/4 0/25
Lard, pound 20
Pressed veal, pound 12 1/2 0/20
Fall lamb, pound 8020
Dressed spring, pound 35
Fancy treakfast bacon, pound 35
Roasters, pound 22
Ducks, pound 22
Turkey, per pound 35
Turkey, per pound 35

 Lemons, per dozen
 30

 Limes, per hundred
 1.25

 Bananas, per dozen
 20630

 Grape frult, three for
 25

 Dates, per pound
 20

 Apples, per peck
 65

 Pomegranates, per pound
 15

 Cranberries, per quart
 124

 Pineapples, each
 65

 Florida grape fruit, each
 15

 Dates
 20
 GROCERIES.

Soles, per pound
Codfish
Codfish
Crabs
Oysters, small, per can
N. Y. Counts, per can
Flounders, per pound
Brook Trout, each
15
Brook Trout, each
25

Shad roe, per pound
Black bass, per pound
Smelts, per pound VEGETABLES.

WHOLESALE.

MEATS AND POULTRY. Dressed beef, per pound
Dressed veal, per pound
Dressed mutton, per pound
Lard, per pound
Lard, per pound
Live hens, per pound
Dressed hens, per pound
Turkeys, per pound DATRY PRODUCTS.

 Fresh Utah creamery, extra
 34

 Ranch butter
 25 & 30

 Ranch eggs
 8.50@9.50

 Eastern eggs
 6.50@7.00

 Utah cheese, per pound
 18@20

 Eastern cheese, per pound
 20

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Three Days' Special in Our

Women's

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50 seasonable RAIN COATS and TOURIST

COATS for ladies—all desirable styles and materials-values up to \$40.00

Choice \$14.95

Entire stock of JABOTS, STOCKS, TURN-OVER

COLLARS, IRISH-EDGED LINEN COLLARS

and NOVELTY BOWS-values up to \$7.50

Choice \$1.75

Choice \$3.95

GRAY BROS. & CO.

258 SOUTH MAIN ST

Entire stock of SWEATER COATS— Values up to \$10.50

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A NEW ELECTRIC TREATMENT

What They Cure Rheumatism, Neuralgia, Head-ache, Kidney Trouble, Backache, Weak Heart, Sleeplessness, Lumba-go, Stomach and Liver Complaints are postively cured, by **Electropodes** —or money refunded. Your Protection

Your Druggist signs a contract to refund the \$1.00 you pay him for Electropodes if they fail to effect a cure, or if they should, after 30 days' free trial, prove unsatisfactory.

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in use for over 30 years, has borne the signature of and has been made under his per-Charff Flitcher. Sonal supervision since its infancy.
Allow no one to deceive you in this. All Counterfeits, Imitations and "Just-as-good" are but Experiments that trifle with and endanger the health of Infants and Children-Experience against Experiment.

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Castoria is a harmless substitute for Castor Oil, Paregoric, Drops and Soothing Syrups. It is Pleasant. It contains neither Opium, Morphine nor other Narcotic substance. Its age is its guarantee. It destroys Worms and allays Feverishness. It cures Diarrhea and Wind and allays Feverishness. It tures Districts and What Colic. It relieves Teething Troubles, cures Constipation and Flatulency. It assimilates the Food, regulates the Stomach and Bowels, giving healthy and natural sleep. The Children's Panacea—The Mother's Friend.

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Semi-Weekly News The THE GREAT COUNTRY NEWS PAPER

DELINQUENT NOTICE.

TINTIC STANDARD MINING COM-PANY.—Location of principal place of business, 422 Judge Building, Salt Lake City, Utah. Notice.—There are delinquent upon the following described stock on account of assessment No. 1, leyted on January 10, 1910, the several amounts set opposite the names of the respective shareholders as follows:

RECORD FOR JANUARY.

According to the reports furnished by the leading book-sellers of the country, the six books (fiction) which have sold the best in the order of demand during the month are:

1. The Foreigner, Connor. ...\$1.50
2. Little Sister Snow. Little ...\$1.00
3. John Marvel, Assistant. Page, \$1.50
4. When a Man Marries. Rinehart.

\$1.50
5. Truxton King. McCutcheon...\$1.50
6. The Silver Horde. Beach....\$1.50
DESERET NEWS BOOK STORE.
The leading book concern.
6 Main St.

In these Cities and Towns THE

Ogden. Provo. Logan. Bingham. Brigham City. Eureka. Springville. Payson.

Bountiful.
Murray.
Sandy.
Sandy.
Draper.
Tuylorsville.
Holiday.
Union.
Granger.
Hunter.
Mill Creek.
E. Mill Creek.
Woods Cross.
Mammoth. Helper. Pleasant View. Center. Superior Add.

b per cent of the towns above do much of their shopping in Balt Lake. Breet Cars or Dummy lines running at connect them with this City. by Carrier every evening. :: ::

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